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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/384,692	08/27/1999	BRIAN MITCHELL BASS	RAL999-0080	8165

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EXAMINER
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DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/384,692

**Applicant(s)**

BASS ET AL.

**Examiner**

Khanh Dinh

**Art Unit**

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-13, 43 and 44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-13, 43, 44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is in response to the Amendment filed on 10/14/2003 (paper #14). Claims 10-13 and new claims 43-44 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 10-13, 43 and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Shobatake et al., US pat. No.5,557,609.

As to claim 10, Shobatake discloses a method comprising the steps of:

Storing in a single instruction memory instructions (11023 fig.1) for the handling of data transiting an interface device (see abstract, fig.1, col.3 line 56 to col.4 line 56).

Executing in a plurality of interface processors (102's fig.1) the instructions stored in the single instruction memory (11023 fig.1) and receiving a data flow through an input port (see col.4 line 57 to col.5 line 65).

Communicating the data flow from the plurality of interface processors (102's fig.1) and directing the data flow outbound through an output port (11024's) in accordance with the execution of the instructions by the interface processors (see also fig.2, col.5 line 66 to col.6 line 51 and col.7 line 15 to col.8 line 62)

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As to claim 11, Shobatake discloses parsing the data flow into a plurality of portions (frame data accommodation buffer), storing the selected portions of the parsed data flow in data memory and directing other selected portions of the parsed data flow to a switching fabric for determination of an outbound direction (see fig.4, col.10 line 1 to col.11 line 47 and col.12 lines 16-64).

As to claim 12, Shobatake discloses recombining the stored and other selected portions of the data flow prior to direction of the data flow outbound through an output port (see fig.4, col.10 line 1 to col.11 line 47, col.12 lines 16-64 and col.25 line 6 to col.26 line 65).).

As to claim 13, Shobatake discloses parsing the data flow through the plurality of interface processor comprising parsing the data flow into portions and distributing the parsed portions and distributing the parsed portions among the plurality of interface processors for handling in parallel (see col.20 line 46 to col.21 line 51 and col.25 line 6 to col.26 line 65).

As to claim 43, Shobatake discloses storing in a control processor control information including initialization and configuration data and forwarding stored information to selected ones of said plurality of interface processors (see fig.1, col.4 line 5 to col.5 line 57 and col.6 lines 10-51).

As to claim 44, Shobatake discloses the control information is forwarded in a packet formatted with a protocol compatible for a network (using header conversion 125 FIG.2, see col.7 line 15 to col.8 line 61 and col.18 line 31 to col.19 line 62 and col.28 lines 1-42) coupling the control processor and the interface processor.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 10-13, 43 and 44 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Claims 10-13, 43 and 44 are *rejected*.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone numbers for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh  
Patent Examiner  
Art Unit 2155  
11/23/2003

  
**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**